

FILED

SEP 21 2012

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Antonio T. Potter,

Plaintiff,

v.

Special Funds Conservation Committee,

Defendant.

Civil Action No. **12 1571**

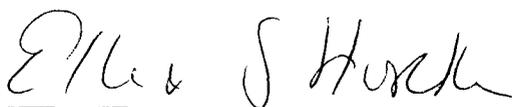
MEMORANDUM OPINION

This matter is before the Court on plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The Court will grant plaintiff's application and dismiss the complaint for lack of subject matter jurisdiction.

The subject matter jurisdiction of the federal district courts is limited and is set forth generally at 28 U.S.C. §§ 1331 and 1332. Under those statutes, federal jurisdiction is available only when a "federal question" is presented or the parties are of diverse citizenship and the amount in controversy exceeds \$75,000. A party seeking relief in the district court must at least plead facts that bring the suit within the court's jurisdiction. *See* Fed. R. Civ. P. 8(a). Failure to plead such facts warrants dismissal of the action. *See* Fed. R. Civ. P. 12(h)(3).

Plaintiff is a resident of Rochester, New York, suing an entity in Cheektowaga, New York, for workers' compensation. The complaint neither presents a federal question nor provides a basis for diversity jurisdiction. A separate Order of dismissal accompanies this Memorandum Opinion.

DATE: September 17, 2012


United States District Judge

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